CHILDREN & YOUNG PEOPLE'S Commissioner Scotland

> **UNDER 18?** YOUR HUMAN RIGHTS AT PROTESTS WHAT YOU NEED TO KNOW

All children under the age of 18 who choose to protest (in person or online) have human rights that must be respected, protected, and fulfilled.

Adults must think about what's best for you and consider your views when making decisions that affect your life.

You have the right to speak up, be listened to, and be taken seriously

You can go to protests to make sure that your voice is heard. You can also take part in online protests. You should not face punishment or abuse when protesting.

You have the right to have your own ideas, thoughts, and beliefs and to give your opinions, as long as it does not harm or offend other people

You can take part in climate activism through protests and online, as long as these views do not cause harm to other people.

You have the right to take part in peaceful protests, and to form and join groups

You can go to protests, set up or join climate movements, and meet with other young people who share your opinions, both in person and online.

You have the right to find out and share information

Information about climate movements, policies, and climate change should be widely available for you to access. You also have the right to know what's happening before and during a protest, including if you are held by police during a protest. You should be told what's happening and have the right to ask questions.

You can also share information about climate movements, policies, climate change, and protests, so long as it does not harm or offend other people.

You have the right to privacy

This is especially important for protests that take place online. For example, you shouldn't have anyone listening in to your personal conversations or reading your messages. In Scotland, the law has some exceptions to this when you, or someone else, is in danger.

You have the right to be kept safe from harm or violence

You have the right to be protected when protesting. This includes from anybody who may act violently at a protest, and from all online abuse. The authorities should take steps to stop any violence. They should not stop you from protesting, unless you are in danger.

You have the right to learn about your human rights and the environment

You have the right to learn about what your human rights are, when you can defend them, and about the environment, including climate change. This includes knowing when and how to protest.

What happens if you're detained or arrested by police

Arresting you should always be the last possible option. But it might happen, and you have rights if it does.

Your rights if arrested or detained

These rights apply to all children under 18. We know that you might not feel that you are a child, but under the law you should be recognised as, and treated as one. These human rights protections are important and useful.

- You have the right to be treated with respect and dignity.
- You have the right to contact your family and to be released to them as soon as possible.
- You have the right to ask questions.
- You have the right to speak to a lawyer, to complain, to ask for release, and to get a speedy answer.
- You have the right to contact your friends and social workers.
- You should be kept separate from adults, unless it's best for you, for example, if you're with a family member.
- You have the right to use toilets and washing facilities and ask for food and drink.

IF YOU NEED ADVICE AND HELP:

Scottish Child Law Centre

Advice Line: 0131 667 6333 Freephone for Under 21s: Landline: 0800 328 8970 Mobile: 0300 3301421 ScotChildLaw

Scottish Legal Aid Board

Call: 0131 226 7061 www.slab.org.uk/new-to-legal-aid/find-a-solicitor

Law Society Of Scotland – Find a Solicitor

www.lawscot.org.uk ☑@Lawscot

Childline is available 24/7 on 0800 1111

Children and Young People's Commissioner Scotland

We promote and protect the rights of children and young people if you are under 18 or up to 21 if you have care experience. Call: 0800 019 1179 Email: inbox@cypcs.org.uk www.cypcs.org.uk ∑@cypcs @@cypcs f@cypcs